



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/998,898	11/30/2001	Shawn P. Delany	21756-013300	4155

51206 7590 11/14/2007
TOWNSEND AND TOWNSEND AND CREW LLP
TWO EMBARCADERO CENTER
8TH FLOOR
SAN FRANCISCO, CA 94111-3834

EXAMINER

SALAD, ABDULLAHI ELM I

ART UNIT	PAPER NUMBER
----------	--------------

2157

MAIL DATE	DELIVERY MODE
-----------	---------------

11/14/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/998,898

Applicant(s)

DELANY ET AL.

Examiner

Salad E. Abdullahi

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-5,7-18,20-24,26-31 and 33-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3-5,7-18, 20-24, 26-31 and 33-42 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/24/2007 has been entered.

2. Applicant's arguments with respect to claims 1, 3-5, 7-18, 20-24, 26-31 and 33-42 have been fully considered but are persuasive for the following reason(s).

Applicant alleges *"the combination of Schneider and Cain is no more relevant to the pending claims than either reference alone since neither reference, alone or in combination, teaches or suggests accessing an indication of a first policy from a plurality of policies, the plurality of policies defining policies for subscribing to and unsubscribing from said first group. Rather, Schneider teaches an administrative policy that defines which user are allowed to add or remove members from a group while Cain teaches a policy for determining whether a subscriber device can be admitted to the multicast group, i.e., allowing or prohibiting access to a multicast network"*

Examiner respectfully disagrees because In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references.

See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Furthermore, because Schneider teaches a subscriber policy management and accessing an indication of a first policy from a plurality of policies, the plurality of policies defining policies for subscribers (see col. 24, lines 32-54). In here Schneider defines. The users belong to sets of users called user groups and the information belongs to sets of resources called information sets and access policy is defined in terms of access by user groups to information sets; and administrative policy, which determines how administrators may administer and delegate access policies and the subjects and objects of access policies. Administrative policy is defined in terms of sets of administrative users and objects (that is the policy describes administering user groups). Schneider does not explicitly disclose each policy of plurality of policies defining a policy for subscribing to or unsubscribing from said first group.

Cain, in analogous art discloses an access control system in a multicast communication network using group a policy service to determine whether a subscriber device can be admitted to a multicast group, including each policy of plurality of policies defining a policy for subscribing to or unsubscribing from said first group (see fig. 3 and col. 6, lines 3-35). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to utilize access control mechanism such as taught by Cain in order to provide coherent view of the different group members.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 3-5, 7-18, 20-24, 26-31 and 33-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schneider et al., U.S. Patent No. 6, 408,336[hereinafter Schneider] in view of Cain et al., U.S. Patent No. 6,963,573[hereinafter Cain].

As per claim 1, Schneider discloses a method for modifying group membership, comprising the steps of:

receiving a request to add a first entity to a first group (see fig. 9 and col. 23, lines 27-53);

accessing an indication of a first policy from a plurality of policies (303), (see figs. 3 and 11 and col. 24, lines 32-54); and

adding said first entity to said first group as a static member based on said first policy (see col. 24, lines 32-54).

Schneider is silent regarding: each policy of plurality of policies defining a policy for subscribing to or unsubscribing from said first group

Cain, in analogous art discloses an access control system in a multicast communication network using group a policy service to determine whether a subscriber device can be admitted to a multicast group, including each policy of plurality of policies defining a policy for subscribing to or unsubscribing from said first group (se fig. 3 and col. 6, lines

Art Unit: 2157

3-35). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to utilize access control mechanism such as taught by Cain in order to provide coherent view of the different group members.

As per claim 3, Schneider discloses a method according to claim 1, wherein: said indication is stored in an attribute of an identity profile for said first group(see col. 7, lines 12-31).

As per claim 4, Schneider discloses a method according to claim 1, wherein: said set of policies includes an open policy, an open with filter policy, a controlled through workflow policy, and a closed policy (see col. 9, lines 32-52).

As per claims 5, and 7-10 Schneider discloses a method according to claim 4, wherein: said identity profile for said first group includes a filter attribute, said filter attribute stores a filter that is used with said open with filter policy to determine whether said first entity may be added to said first group (see fig. 3 and col. 9, lines 32-52).

As per As per claims 11-17 Schneider discloses a method according to claim 1, wherein: said indication is stored in an attribute of an identity profile for said first group; said identity profile for said first group includes an attribute that stores an indication of whether to send a message upon adding said first entity to said first group; and said

Art Unit: 2157

identity profile for said first group includes an attribute that stores said message (see fig. 3 col. 9, lines 32-52 and 12, lines 28-39).

As per claims 18, 20-24, 26-31 and 33-42, the claims include features discussed above with respect to claims 1-17, thus claims 18, 20-24, 26-31 and 33-42, are rejected same rational as claims 1-17.

Conclusion

1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Salad E. Abdullahi whose telephone number is 571-272-4009. The examiner can normally be reached on 8:30 - 5:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

Art Unit: 2157

3. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

As
11/12/2007


ABDULLAH SALAD
PRIMARY EXAMINER